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18 APPLE COMPUTER, INC. and  
19 DAVID BLACK

20 UNITED STATES DISTRICT COURT  
21 NORTHERN DISTRICT OF CALIFORNIA

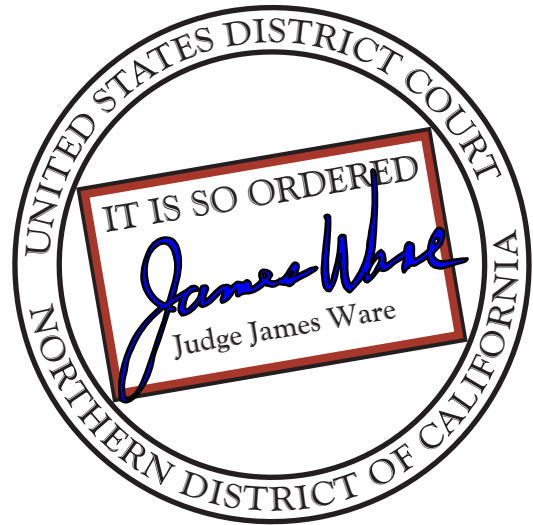
22 NANCY ZAYED, an individual,

23 Plaintiff,

24 v.

25 APPLE COMPUTERS, a corporation doing  
26 business in California; DAVID BLACK, an  
27 individual, and DOES 1-50, inclusive,

28 Defendants.



Case No. C-04-1787

**STIPULATION AND ~~[PROPOSED]~~  
ORDER TO CHANGE TIME  
REGARDING EXPERT WITNESS  
DISCLOSURE DEADLINES  
PURSUANT TO LOCAL RULE 6-2**

1 The parties hereto, and their undersigned counsel, hereby stipulate as follows:

2 WHEREAS the Court previously entered a Scheduling Order in this case on  
3 February 1, 2005 and modified that Scheduling Order on July 22, 2005, October 18, 2005, March  
4 9, 2006, and on May 9, 2006.

5 WHEREAS fact discovery closed on October 3, 2005;

6 WHEREAS on May 1, 2006, the Court set the trial date in this matter and trial to  
7 commence on February 6, 2007;

8 WHEREAS the Parties are currently engaged in expert discovery;

9 WHEREAS Defendant's IME will be scheduled beyond June 23, 2006,

10 WHEREAS the Parties believe that extending the expert witness deadlines set  
11 forth in the Court's May 9, 2006 Order as set forth below will be conducive to the efficient and  
12 expedient conduct of this litigation, will serve the ends of justice, and will not create any  
13 substantial delay, and will not affect the Parties' trial date; and

14 WHEREAS the Parties have previously requested four time modifications to the  
15 Scheduling Order deadlines set by the Court to extend the expert witness deadlines,

16 NOW THEREFORE, IT IS AGREED AS FOLLOWS:

17 1. The deadlines set forth in the Court's May 9, 2006, Scheduling Order shall  
18 be modified as follows:

- 19 (a) the deadline to disclose expert witnesses related to plaintiff's  
20 alleged mental distress pursuant to F.R.C.P. 26(a) is August 25,  
21 2006;
- 22 (b) the deadline to disclose rebuttal expert witnesses related to  
23 plaintiff's alleged mental distress is September 29, 2006;
- 24 (c) the hearing deadline for motions objecting to the qualifications or  
25 proposed testimony of experts related to plaintiff's alleged mental  
26 distress is December 4, 2006;
- 27  
28

(d) The discovery deadline is October 18, 2006, as to expert discovery,  
and discovery shall remain closed for all non-expert discovery.

2. This Stipulation shall be made an Order of the Court.

Dated: June 22, 2006

WAUKEEN Q. MCCOY, ESQ.  
LAW OFFICES OF WAUKEEN Q. MCCOY

/s/Waukeen McCoy  
Waukeen Q. McCoy  
Attorneys for Plaintiff  
Nancy Zayed

Dated: June 22, 2006

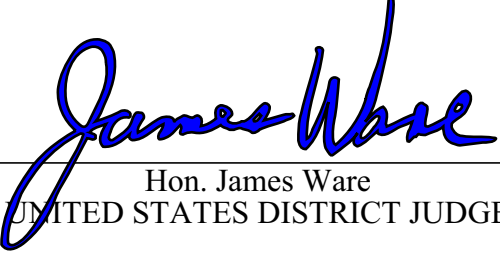
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/s/ Jessica Perry  
Jessica R. Perry  
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Apple Computer, Inc. and David Black

**ORDER**

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated: 07/06, 2006

  
Hon. James Ware  
UNITED STATES DISTRICT JUDGE